

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the Matter of)
)
New Part 4 of the Commission's Rules) ET Docket No. 04-35
Concerning Disruptions to Communications)
)

To: The Commission

**MOTION TO WITHDRAW
PETITION FOR PARTIAL STAY**

Syniverse Technologies, Inc. ("Syniverse") hereby moves to withdraw its "Petition for Partial Stay" filed on December 27, 2004 in the above-referenced proceeding. In the Petition for Partial Stay, Syniverse asked the Commission to stay the provisions of paragraphs 148 and 149 of the *Report and Order and Further Notice of Proposed Rulemaking*¹ in the above-referenced proceeding, as embodied in the first four sentences of Section 4.9(e) of the Commission's Rules, to the extent that such rules require Signaling System 7 ("SS7") providers to report outages based on blocked or lost calls or MTP messages. Syniverse sought to limit outage reporting requirements applicable to SS7 to reporting the occurrence of isolation of STPs and signaling end points pending disposition of Syniverse's Petition for Reconsideration which was filed on December 30, 2004.

At the time that Syniverse filed its Petition, Syniverse reasonably believed that the outage reporting requirements adopted for third party SS7 providers based on blocked or lost calls would be difficult to meet and that use of lost MTP messages as a surrogate for blocked or lost calls

¹ *New Part 4 of the Commission's Rules Concerning Disruptions to Communications*, ET Docket No. 04-35, *Report and Order and Further Notice of Proposed Rulemaking*, FCC 04-188 (rel. Aug. 19, 2004) ("R&O").

would not provide the Commission with accurate outage information. While time has not changed the company's view as to the lack of value of the information being reported, the Company has, in fact, invested the resources needed to comply with the regulations, and therefore, with the passage of time, the harm that Syniverse was hoping to avoid has been incurred.

Syniverse continues to believe that the rules must be modified, and still urges the Commission on reconsideration of the R&O to determine that the only criteria that should be imposed on third party SS7 network providers is based on isolation of STPs. Those views notwithstanding, a stay is no longer required. Therefore, Syniverse respectfully moves to withdraw its December 27, 2004 “Petition for Partial Stay.”

Respectfully submitted,

SYNIVERSE TECHNOLOGIES, INC.

By: /s/
David J. Robinson
Manager – Public Policy

September 30, 2005